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C O N F I D E N T I A L SECTION 01 OF 02 BANGKOK 000545

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SUBJECT: JANUARY 26 UPDATE: MARTIAL LAW, CONSTITUTION,  
ELECTION, AND MORE

REF: A. BANGKOK 151 (PRASONG MEETS AMBASSADOR)

[1](#)B. BANGKOK 110 (CDA PRESIDENT FORESEES FAST PROGRESS)

[1](#)C. BANGKOK 83 (COUP RUMORS)

Classified By: Ambassador Ralph L. Boyce, reason: 1.4 (b) and (d).

SUMMARY

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[1](#)1. (C) The MFA Permsec reports that the King has signed the decree on the partial lifting of martial law. The Constitution Drafting Committee elected one of the figures who helped engineer the September 19 coup d'etat as its chairman, in a move that will likely dismay liberal elements of civil society. Press reports noted the possibility of elections in September, but we believe it is premature to estimate when elections may be held. A prominent General who sits on the Council for National Security has become Chairman of the Board of Directors of a second state enterprise, in what may represent efforts to ease his reported dissatisfaction with the current leadership. The Council for National Security Chairman seems to be taking a harder line than Prime Minister Surayud on the possible return to Thailand of deposed Prime Minister Thaksin. End Summary.

MARTIAL LAW

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[1](#)2. (C) MFA Permsec called the Ambassador today to report that the King had signed the decree with the partial lifting of martial law. The decree then has to be transmitted back to the government, and be published in the official gazette to take effect. The Permsec anticipated this would happen within the next few days.

COUP PLOTTER TO CHAIR CONSTITUTION DRAFTING COMMITTEE

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[1](#)3. (C) The 35-member Constitution Drafting Committee (CDC) on January 25 voted 18-17 to elect Prasong Soonsiri, former Foreign Minister and former NSC Secretary General, as its chairman. Prasong was one of the 10 members of the CDC appointed by the Council for National Security (CNS), rather than having been selected by the Constitution Drafting Assembly (CDA). Prasong was a leading member of the group that organized the coup (ref A). Public reaction to Prasong's election as CDC Chair has been understandably less than laudatory. Media reports quoted fellow CDC member Angkana Neelaphaijit, the presumed widow of a Muslim human rights lawyer, as saying that unnamed persons had lobbied

actively for Prasong, that procedures on the vote were rushed, and only five of the 35 CDC members appeared independent of the ruling clique. Some media outlets reported that Prasong said the CDC would not necessarily use the 1997 Constitution as the model for the next charter -- contrary to what CDA President Noranit Setabutr had said publicly (ref B). Comment: The CNS may believe that Prasong is smart and tough enough to keep the constitution process on track. However, they will pay a price for having him in this position, as it will be cited as evidence that the CNS wants to control the constitution drafting process. End comment.

#### PRIME MINISTER DISCUSSES ELECTIONS

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14. (C) Prime Minister Surayud met with members of the Election Commission (EC) on January 25. According to press reports, Surayud discussed the EC's FY 2007 budget, which contains substantial sums for legislative elections. Given that the EC's fiscal year ends on September 30, some journalists have interpreted the discussion to indicate that voting in upcoming elections might take place before September 30. We believe it is premature to estimate the date of the next elections.

#### GRUMBLING GENERAL GETS SECOND BOARD CHAIRMANSHIP

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15. (C) Information and Communications Technology Minister Sitthichai Pokai-udom told the press on January 25 that Lieutenant General Saprang Kalayanamitr, Assistant Secretary General of the Council for National Security, would become Chairman of the Board of Directors of the Telephone Organization of Thailand. Saprang already chairs the Board

BANGKOK 00000545 002 OF 002

of Directors of the Airports of Thailand organization -- and one might think that he already has his hands full, because there have been numerous prominent media reports about problems at Bangkok's new airport, with recent complaints about safety concerns relating to cracks in runways. Saprang is widely seen as advocating a tougher approach toward elements of the previous administration (ref C).

16. (C) The CNS came under criticism in November for appointing approximately one dozen military officers to the boards of state enterprises. Most were appointed to the boards of enterprises with strategic significance (relating to communications, transportation, aviation, or ports). Embassy contacts have told us that the appointment of military officers to these boards did not mark a departure from traditional practices. (Each of Thailand's 59 state-owned enterprises has its own law specifying how the boards are to be appointed; most commonly, the relevant minister nominates the board, with the cabinet approving the nomination. Board members do not receive salaries; they receive allowances of up to 10,000 Baht -- under 300 USD -- per month, but members of certain boards may receive other, more significant bonuses or fringe benefits.)

#### DISCUSSION OF THAKSIN'S POSSIBLE RETURN TO THAILAND

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17. (C) CNS Chairman General Sonthi Boonyaratglin said publicly on January 25 that deposed Prime Minister Thaksin might face trouble if he were to return to Thailand in the near future. Sonthi speculated that Thaksin might not want to return home even after the next elections. Sonthi's statements contrast with those of Prime Minister Surayud. Whereas at various junctures following the coup Surayud had suggested that Thaksin should not return before elections, he moderated that line on January 19, when he said that Thaksin could return to Thailand sooner than that, although Thaksin should first discuss with the administration whether he would engage in political activities.

BOYCE